



Signed and Filed: June 1, 2021

Dennis Montali

DENNIS MONTALI
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:) Bankruptcy Case
PG&E CORPORATION,) No. 19-30088-DM
- and -) Chapter 11
PACIFIC GAS AND ELECTRIC COMPANY,) Jointly Administered
Reorganized Debtors.)
☐ Affects PG&E Corporation)
☐ Affects Pacific Gas and)
Electric Company)
☒ Affects both Debtors)
* All papers shall be filed in)
the Lead Case, No. 19-30088 (DM).)

ORDER DENYING MOTION BY WILLIAM B. ABRAMS
AND REQUEST BY KENNETH ROY VINEY

The following have been received recently:

- Dkt. No. 10715 - *Motion to Amend Judgement and Replace All the Members of the Fire Victim Trust Oversight Committee and to Support Efficient Trust Administration Pursuant to U.S.C. §§ 1123(A)(4) and*

1 *Bankruptcy Rule 9023 and 9024 (the "Motion")*, filed
2 by William B. Abrams.

- 3 • *Dkt. No. 10720 - Request for Reconsideration of the*
4 *Order Granting the Joint Motion of Fire Victim*
5 *Trustee and Reorganized Debtors Regarding Exchange*
6 *Transaction in Support of a Grantor Trust Tax*
7 *Election (the "Request")*, filed by Kenneth Roy
8 Viney.

9 Mr. Abrams raises a number of diverse issues covering many
10 matters of concern to him. Foremost appear to be the current
11 constitution of the Fire Victim Trust Oversight Committee and
12 the possibility of broader judicial oversight and review of the
13 treatment of claims of fire victims. Mr. Viney is more focused
14 on the court's decision, *Order Granting Joint Motion of Fire*
15 *Victim Trustee and Reorganized Debtors Regarding Exchange*
16 *Transaction in Support of a Grantor Trust Tax Election*
17 (Dkt. No. 10598). He also seeks appointment of an additional
18 trustee of the Fire Victim Trust and a two-year deadline for
19 liquidation of the old or new shares of PG&E Corporation held in
20 the Fire Victim Trust.

21 The court has no reason to presume from these filings that
22 these two gentlemen have been working together. Further, both
23 appear to be acting without the benefit of counsel, and the
24 court is quite willing to provide significant leniency to
25 parties acting *in pro se*. That said, it will not act further on
26 either the Motion or the Request. Instead, it will explain to
27 Mr. Abrams and to Mr. Viney, and any other similar parties who
28 seek relief in the future, that the court will not act on

1 motions such as these that do not come anywhere close to
2 complying with substantive and procedural requirements for any
3 such requests, whether submitted by unrepresented fire victims
4 or experienced bankruptcy counsel.

5 Those requirements include a preliminary statement, with
6 proper citation to authority, of the jurisdiction and ability of
7 this court to afford them whatever relief they may be seeking.
8 Both seek some sort of relief from prior orders of the court,
9 some of which are final, and some of which, while on appeal,
10 have not been stayed. For example, Mr. Abrams cites Fed. R.
11 Bankr. P. 9023 and 9024, without explaining how his request
12 comes with the reach of any part of either or both of those
13 rules. Similarly, his citation to 11 U.S.C. § 1123(a)(4) is
14 unexplained and is not applicable at this stage of these cases.

15 Mr. Viney cites no statute or rule at all, overlooks the
16 fact that the order he complains about is final, did not file
17 within the fourteen days required under Fed. R. Bankr. P. 9023
18 and offers no explanation to support reconsideration or other
19 relief under the six well-established options of Fed. R. Bankr.
20 P. 9024.

21 Next, they must identify the parties against whom they seek
22 relief and serve those parties and their counsel with their
23 motions and supporting papers. Supporting papers include a
24 memorandum of points and authorities, a statement of the issues
25 to be decided, a succinct statement of relevant facts, the
26 argument of the submitting party, and properly executed
27 affidavits or declarations under penalty of perjury that include
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1 admissible evidence, adequate foundation for facts alleged and
2 free from objectionable hearsay.

3 Further, it is their responsibility to comply with other
4 applicable national and local rules¹ and set their motions or
5 requests for hearing on the court's regular PG&E calendar, with
6 proper notice to any adverse parties of their need to file
7 timely responses in opposition to the motions or requests.
8 They should also refer to the *Second Amended Order Implementing*
9 *Certain Notice and Case Management Procedures* (Dkt. No. 1996).

10 Because of these deficiencies, the Motion and the Request
11 are DENIED, without prejudice to either being renewed in
12 accordance with applicable procedures summarized above.

13 ****END OF ORDER****
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27 ¹ For example, see Fed. R. Bankr. P. 9013 and 9014 and B.L.R.
28 9013-1, 9013-2, 9013-3 and 9014-1.

COURT SERVICE LIST

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